

Assembly Bill No. 1014

CHAPTER 357

An act to add Section 525.5 to the Harbors and Navigation Code, relating to vessels.

[Approved by Governor September 11, 2003. Filed
with Secretary of State September 12, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1014, Canciamilla. Vessels: abandonment.

Existing law prohibits any person from abandoning a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property, except as specified. The abandonment of any vessel in this manner is prima facie evidence that the last registered owner of record, not having notified the appropriate registration or documenting agency of any relinquishment of title or interest therein, is responsible for the abandonment and is thereby liable for the cost of removal and disposition of the vessel. A violation of this prohibition is an infraction and is punished by a fine of not less than \$500 nor more than \$1,500.

This bill would require the Department of Boating and Waterways, on or before January 1, 2005, to submit recommendations to the Legislature on strategies to prevent recreational vessels from being abandoned and to facilitate the ability of owners to turn in their recreational vessels to public agencies for disposal in lieu of abandonment. The bill would require the Director of Boating and Waterways to appoint an Abandoned Vessel Advisory Committee to assist the department in preparing these recommendations. The bill would specify the membership of the committee and would require the committee to serve without compensation and without reimbursement by the state for expenses. The bill would require the department to assist the committee in carrying out its duties.

The people of the State of California do enact as follows:

SECTION 1. Section 525.5 is added to the Harbors and Navigation Code, to read:

525.5. (a) On or before January 1, 2005, the department shall submit recommendations to the Legislature on strategies to prevent recreational vessels from being abandoned and to facilitate the ability of

owners to turn in their recreational vessels to public agencies for disposal in lieu of abandonment.

(b) The recommendations shall be based on the expertise and data available to the department in relation to the existing abandoned watercraft abatement program administered by the department.

(c) The recommendations shall consider all of the following:

(1) The needs and desires of the recreational boating community in being able to properly and economically dispose of recreational vessels in lieu of abandoning them.

(2) Any environmental, economic, safety, or practical problems that need to be addressed before initiating a program to allow recreational vessels to be turned in to a public agency in lieu of abandonment, and the associated benefits of that program or any program that can prevent recreational vessels from being abandoned.

(3) An estimate of the number of vessels that may be turned in to local agencies in lieu of abandonment.

(d) (1) The director shall appoint an Abandoned Vessel Advisory Committee to assist the department in preparing recommendations.

(2) The membership of the committee shall include, but need not be limited to, representatives of all of the following:

(A) Boating law enforcement agencies.

(B) Entities that engage in the salvage or disposal of recreational vessels.

(C) Boat dealers.

(D) Boating, sailing, and yachting organizations.

(E) Owners and operators of public and private marina facilities.

(3) The members of the committee shall serve without compensation and may not be reimbursed by the state for expenses.

(4) The department shall assist the committee in carrying out its duties.

